

**REMARKS**

In response to the Office Action mailed April 21, 2004, Applicants respectfully request reconsideration. To further the prosecution of this application, amendments have been made in the claims. The claims as presented are believed to be in condition for allowance.

Claims 1-32 were previously pending in this application. Claims 1 and 17 are amended herein. As a result, claims 1-32 remain pending for examination, with claims 1 and 17 being independent. No new matter has been added.

**Summary of Telephone Conference with Examiner**

Initially, Applicants' representatives thank Examiners Jacobs and Meky for the courtesies extended in granting and conducting a telephone interview on August 4, 2004. The substance of the interview is summarized below.

During the interview, Applicants' representatives provided an overview of context management, and discussed aspects of the invention that relate to configuring a data definition for a subject. As an example, Applicants' representatives explained that, in one embodiment, the invention may be implemented in a system wherein a plurality of applications accept a user identifier. Specifically, a data definition may be configured for a user subject so that when the user switches between applications, the user's identifier with respect to one application may be exchanged for the user's identifier with respect to another application. Applicants' representatives explained that the ability to provide an identifier for each application would support the exchange of identifiers having heterogeneous formats, such that a user identifier for one application in a first format may be exchanged for a user identifier for a second application in a second format.

Applicants' representatives further explained that Gopal relates to a search tool for finding information among multiple directories, and although the term "context" is used in Gopal, the teachings of Gopal are irrelevant to Applicants' claimed invention.

The Examiners expressed an appreciation for aspects of the present invention which distinguish over the prior art of record, and indicated that they would reconsider the rejection. In addition, in response to Applicants' assertion that they desired the issuance of a patent as soon as possible, the Examiners suggested that narrowing amendments might facilitate placing the

application into allowable condition. As a result, claims 1 and 17 have been amended. Specifically, claims 1 and 17 now explicitly recite a plurality of subjects that comprise patient, user and encounter subjects, and also that the subject data definition is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard. Neither of these limitations is disclosed or suggested by Gopal.

Rejections under 35 U.S.C. §102(e)

Claims 1, 4-8, 15-18, 23-26 and 28 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 5,491,817 to Gopal et al. (“Gopal”). This rejection is respectfully traversed.

A. Purpose for Amendment

Applicants continue to believe that the claims as previously pending are patentable. The claims are amended herein solely to expedite issuance of a patent. As such, Applicants reserve the right to file one or more continuation applications to pursue the subject matter of the previously pending claims.

B. Claims 1-16

As amended, claim 1 recites at least one computer-readable medium encoded with a program that, when executed, performs a method of administering a context management system that manages a context. The method comprises configuring a subject data definition which defines a plurality of subjects in the context using, for each subject, subject data that comprises a data item usable by a plurality of applications comprising at least a first application and a second application, the data item having a set of values comprising at least a first value corresponding to the first application and a second value corresponding to the second application, the set of values identifying the subject in the context, the value of the data item corresponding to the first application being exchangeable with the value of the data item corresponding to the second application when a user switches from the first application to the second application to retain the context, the plurality of subjects comprising a patient subject, a user subject and an encounter subject, and the subject data definition being defined in accordance with a Clinical Context Object Workgroup (CCOW) standard.

Gopal fails to disclose or suggest the limitations recited by claim 1. For example, Gopal fails to disclose or suggest configuring a subject data definition which defines a plurality of subjects in a context, wherein the subjects comprise a patient subject, a user subject and an encounter subject. Gopal also fails to disclose or suggest a subject data definition which is defined in accordance with a CCOW standard.

Gopal discloses a system which allows a user to search for information on an object (e.g., a person) in one or more “contexts” (col. 5, lines 38-40). “Context” in Gopal refers to a particular characteristic to which information on an object relates, or a particular setting in which information on an object resides. For example, Gopal discloses that information for an exemplary object John Doe may exist in a credit data context and a driver’s data context (col. 5, lines 63-65). Gopal discloses a system which enables a user that knows information about the object in one context (e.g., driver’s license information) to obtain information on the object in one or more other contexts (e.g., a credit report) (col. 5, lines 60-67).

Gopal discloses that a user’s search request is received by a linking application and processed using a linking directory, which maintains a record of one or more local directories wherein detailed data on the object is stored (col. 5, lines 48-58). For example, if data on a person’s credit is sought, the linking directory may maintain one or more records indicating which local directories store the credit data which is sought (col. 5, lines 60-64). Information on the object is retrieved from the local directory using a linking identifier, which is an identifier used by all of the local directories (col. 6, lines 26-30).

Gopal fails to disclose or suggest a subject data definition which defines a plurality of subjects in a context, wherein the plurality of subjects comprise patient, user and encounter subjects. Gopal also fails to disclose or suggest a subject data definition which is defined in accordance with a CCOW standard. As a result, it is respectfully asserted that amended claim 1 patentably distinguishes over Gopal, such that the rejection of claim 1 under 35 U.S.C. §102(e) as being anticipated by Gopal should be withdrawn.

Claims 2-16 depend from claim 1 and are allowable for at least the same reasons.

C. Claims 17-32

Claim 17 recites an apparatus comprising at least one processor programmed to manage and administer a context. The at least one processor is programmed to implement an administration suite for configuring a subject data definition defining a plurality of subjects in a context, wherein, *inter alia*, the plurality of subjects comprises a patient subject, a user subject and an encounter subject, and wherein the subject data definition is defined in accordance with a CCOW standard.

As discussed above with reference to claim 1, Gopal fails to disclose or suggest a subject data definition defining a subject in a context, wherein the subject comprises one of a patient, user and encounter, and wherein the subject data definition is defined in accordance with a CCOW standard. As a result, claim 17 patentably distinguishes over Gopal, such that the rejection of claim 17 under 35 U.S.C. §102(e) as being anticipated by Gopal should be withdrawn.

Claims 18-32 depend from claim 17 and are allowable for at least the same reasons.

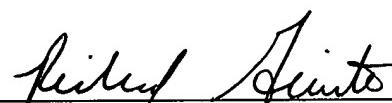
**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if the Examiner does not believe that this communication places the case in condition for allowance, to discuss any outstanding issues relating to the allowability of the application.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
*Robert Seliger et al., Applicant(s)*

By:

  
Richard F. Giunta, Reg. No. 36,149  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

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